IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED
RS
DEC 29 2005
Michael N. Milby, Clerk

AVA SLAUGHTER	§	
Plaintiff,	§	
	§	
v.	§	**CIVIL ACTION NO. H-05-3455**
	§	
JONES DAY,	§	
	§	
Defendant.	§	

JOINT DISCOVERY/CASE MANAGEMENT PLAN
UNDER RULE 26(F) OF THE
FEDERAL RULES OF CIVIL PROCEDURE

1. State where and when the conference among the parties required by Rule 26(f) of the Federal Rules of Civil Procedure was held, and identify the counsel who attended for each party, including name, address, bar number, phone and fax numbers and email addresses.

Mr. Kit Patterson, a partner in Mr. Padgett's law office, and Shauna Johnson Clark participated in a conference call on Thursday, December 29, 2005.

For Defendant Jones Day:

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For Plaintiff Ava Slaughter:

Mr. Kit Patterson for
Thomas Padgett, Jr.
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2. **List the cases related to this one that are pending in any state or federal court with the case number and court, and state how they are related.**

None.

3. **Briefly describe what this case is about.**

Plaintiff Ava Slaughter alleges Defendant Jones Day discriminated against her based on her race (Black) in violation of 42 U.S.C. § 1981 and the Texas Commission on Human Rights Act when it failed to promote. Defendant Jones Day denies Plaintiff's allegations.

4. **Specify the allegation of federal jurisdiction.**

Plaintiff alleges a race discrimination claim pursuant to 42 U.S.C. § 1981.

5. **Name the parties who disagree with the plaintiff's jurisdictional allegations and state their reasons.**

None.

6. **List anticipated additional parties that should be included, when they can be added, and by whom they are wanted.**

None.

7. **List anticipated interventions.**

None.

8. **Describe class-action issues.**

None.

9. **State whether each party represents that it has made initial disclosures required by Rule 26(a). If not, describe the arrangements that have been made to complete the disclosures.**

Defendant's counsel and Plaintiff's counsel agree to make initial disclosures on or before January 31, 2006.

10. **Describe the proposes agreed discovery plan, including:**

a. **Responses to all matters raised in Rule 26(f).**

See below.

b. **When and to whom the plaintiff anticipates it may send interrogatories.**

To Defendant on or before January 31, 2006.

c. **When and to whom the defendant anticipates it may send interrogatories.**

To Plaintiff on or before January 31, 2006.

d. **Of whom and by when the plaintiff anticipates taking oral depositions.**

Of Defendant, other fact witnesses and corporate representatives. Plaintiff anticipates completion of these depositions by the discovery cut-off date.

e. **Oh whom and by when the defendant anticipates taking oral depositions.**

Of Plaintiff, any expert witnesses Plaintiff may designate, and other fact witnesses whose identity and extent of knowledge of relevant facts becomes known through discovery. Defendant anticipates completion of these depositions by the discovery cut-off date.

f. (i) **Specify the date experts for plaintiff (or party with the burden of proof on an issue) will be designated and their reports provided to opposing party.**

Plaintiff will designate experts by July 31, 2006.

(ii) **Specify the date experts for defendant will be designated and their reports provided to opposing party.**

Defendant will designate experts by September 15, 2006.

g. List expert depositions the plaintiff (or party with the burden of proof on an issue) anticipates taking and their anticipated completion date. *See* Rule 26(a)(2)(B) (expert report).

Should Defendant designate experts, Plaintiff anticipates deposing all such experts by the close of discovery.

h. List expert depositions the defendant (or opposing party) anticipates taking and their anticipated completion date. *See* Rule 26(a)(2)(B) (expert report).

Should Plaintiff designate experts, Defendant anticipates deposing all such experts by the close of discovery.

11. If the parties are not agreed on a part of the discovery plan, describe the separate views and proposals of each party.

None.

12. Specify the discovery beyond initial disclosures that has been undertaken to date.

None

13. State the date the planned discovery can reasonably be completed.

November 30, 2006.

14. Describe the possibilities for a prompt settlement or resolution of the case that were discussed in your Rule 26(f) meeting.

The parties will explore settlement opportunities after initial discovery has been conducted.

15. Describe what each party has done or agreed to do to bring about a prompt resolution.

See above answer to number 14.

16. **From the attorneys' discussion with their client(s), state the alternative dispute resolution techniques that are reasonably suitable.**

The parties believe mediation may be appropriate.

17. **Magistrate judges may now hear jury and non-jury trials. Indicate the parties' joint position on a trial before a magistrate judge.**

The parties do not consent to proceed before a magistrate judge.

18. **State whether a jury demand has been made and if it was made on time.**

A jury demand has been timely made.

19. **Specify the number of hours it will take to present the evidence in this case.**

Approximately twenty-four (24) hours.

20. **List pending motions that could be ruled on at the initial pretrial and scheduling conference.**

None.

21. **List other motions pending.**

None.

22. **Indicate other matters peculiar to this case, including discovery, that deserve the special attention of the court at the conference.**

None.

23. **Certify that all parties have filed Disclosure of Interested Persons as directed in the Order for Conference and Disclosure of Interested Persons, listing the date of filing for original and any amendments.**

Defendant filed its Disclosure of Interested Persons on December 28, 2006. Plaintiff will file her Disclosure of Interested Persons before the parties appear for the scheduling conference.

24. List the names, bar numbers, addresses and telephone numbers of all counsel.

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Attorney for Plaintiff

Dated: December 29th, 2005

Respectfully submitted,

By: [signature]
Shauna Johnson Clark
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OF COUNSEL:

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AND

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Attorney-In-Charge for Plaintiff
*Mr. Kit Patterson gave Ms. Clark permission to sign Mr. Padgett's name.

CERTIFICATE OF SERVICE

This pleading was served in compliance with Rule 5 of the Federal Rules of Civil Procedure by facsimile and certified mail, return receipt requested on this the 29 day of December, 2005, on the following counsel of record:

Mr. Thomas Padgett, Jr.
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Houston, Texas 77002
By Facsimile: (713) 623-0290
CM/RRR

Shauna Johnson Clark